



Order Filed on January 3, 2024  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Caption in Compliance with D.N.J. LBR 9004-1

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In re:

NEW ENGLAND MOTOR FREIGHT, INC., *et al.*,<sup>1</sup>

Debtors.

Chapter 11

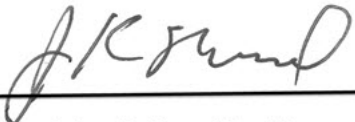
Case No. 19-12809 (JKS)

(Jointly Administered)

**ORDER SUSTAINING THE LIQUIDATING TRUSTEE'S ELEVENTH  
OMNIBUS OBJECTION TO CERTAIN CLAIMS AS (I) LATE FILED,  
(II) SATISFIED, OR (III) LACKING SUPPORT**

The relief set forth on the following pages, numbered two (2) through three (3), and Exhibit A and Exhibit B, is hereby **ORDERED**.

**DATED: January 3, 2024**

  
Honorable John K. Sherwood  
United States Bankruptcy Court

<sup>1</sup> The Debtors in these Chapter 11 Cases (as defined herein) and the last four digits of each Debtor's taxpayer identification number are as follows: New England Motor Freight, Inc. (7697); Eastern Freight Ways, Inc. (3461); NEMF World Transport, Inc. (2777); Apex Logistics, Inc. (5347); Jans Leasing Corp. (9009); Carrier Industries, Inc. (9223); Myar, LLC (4357); Mylon, LLC (7305); Hollywood Avenue Solar, LLC (2206); United Express Solar, LLC (1126); and NEMF Logistics, LLC (4666).

Page: 2  
Debtor: New England Motor Freight, Inc., *et al.*  
Case No.: 19-12809 (JKS)  
Caption: Order Sustaining the Liquidating Trustee's Eleventh Omnibus Objection to Certain Claims as (I) Late Filed, (II) Satisfied, or (III) Lacking Support

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Upon the eleventh omnibus objection (the "Omnibus Objection")<sup>2</sup> of the Liquidating Trustee in the above-captioned Chapter 11 Cases seeking entry of an order, pursuant to sections 105(a) and 502 of the Bankruptcy Code, Bankruptcy Rule 3007, Local Rules 3007-1 and 3007-2, the Plan, and the Bar Date Order, disallowing and expunging the Disputed Claims listed on the exhibits to this Order for the reasons set forth in the Omnibus Objection; and the Court having jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334; and venue being proper before the Court pursuant to 28 U.S.C. §§ 1408 and 1409; and consideration of the Omnibus Objection being a core proceeding pursuant to 28 U.S.C. § 157(b); and it appearing that proper and adequate notice of the Omnibus Objection has been given and that no other or further notice is necessary; and upon the record herein; and the Court having determined that the relief sought by the Omnibus Objection is in the best interests of the Liquidating Trustee, their estates, and creditors; and after due deliberation and good and sufficient cause appearing therefor;

**IT IS HEREBY ORDERED THAT:**

1. The Omnibus Objection is SUSTAINED as set forth herein.
2. The Disputed Claims listed on Exhibit A and Exhibit B attached to this Order are hereby disallowed and expunged in their entirety.
3. The hearing on the Omnibus Objection, solely as it relates to Claim No. 986 of Harold Williams and Claim Nos. 824 and 101006 of Liberty Mutual Insurance, shall be adjourned to January 23, 2024 at 10:00 a.m. (ET) or such other date as may be determined by the relevant parties or the Court.
4. For the avoidance of doubt, nothing in the Omnibus Objection or this Order shall be deemed or construed to (a) constitute an admission as to the validity or priority of any claim

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<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Omnibus Objection.

Page: 3  
Debtor: New England Motor Freight, Inc., *et al.*  
Case No.: 19-12809 (JKS)  
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against the Liquidating Trustee, (b) an implication or admission that any particular claim is of a type specified or defined in this Order or the Omnibus Objection, and/or (c) constitute a waiver of the Liquidating Trustee's rights to dispute any claim on any grounds.

5. The Liquidating Trustee, its claims and noticing agent (Donlin Recano and Company, Inc.), and the Clerk of this Court are authorized to take any and all actions that are necessary or appropriate to give effect to this Order.

6. The objection to each claim addressed in the Omnibus Objection and as set forth on Exhibit A and Exhibit B attached hereto constitutes a separate contested matter as contemplated by Bankruptcy Rule 9014. This Order shall be deemed a separate order with respect to each claim that is the subject of the Omnibus Objection and this Order. Any stay of this Order pending appeal by any claimants whose claims are subject to this Order shall only apply to the contested matter that involves such claimant and shall not stay the applicability and/or finality of this Order with respect to any other contested matters addressed in the Omnibus Objection and this Order.

7. The requirement set forth in Local Rule 9013-1(a)(3) that any motion or other request for relief be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Omnibus Objection or otherwise waived.

8. Notwithstanding any applicability of any of the Bankruptcy Rules, the terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

9. The Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation of this Order.

**EXHIBIT A**

**LATE CLAIM(S) - PROOF OF CLAIM FILED AFTER APPLICABLE BAR DATE**

Debtor Name	Creditor Name & Address	Date Filed	Applicable Bar Date	Claim No.	Claim Amount	Claim Class
NEW ENGLAND MOTOR FREIGHT, INC.	ZACHARY JOESPH TWELE 1098 LIMA LANE NORTHHUNTINGDON PENNSYLVANIA 15642	2/19/2023	6/18/2019	1378	\$ 428,000.00	Secured

<b>TOTAL EXPUNGED CLAIM(S):</b>	<b>1 Claim(s) \$ 428,000.00</b>
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**EXHIBIT B**

**CLAIMS RESOLVED PER PLAN OF LIQUIDATION**

Debtor Name	Creditor Name & Address	Date Filed	Claim No.	Claim Amount	Claim Class
NEW ENGLAND MOTOR FREIGHT, INC.	ARCH INDEMNITY INSURANCE CO FRANCINE PETROSINO HARBORSIDE 3 210 HUDSON ST STE 300 JERSEY CITY, NJ 07311	6/18/2019	1055	\$ -	Administrative
				\$ 1,000,000.00	Secured
NEW ENGLAND MOTOR FREIGHT, INC.	ARCH SPECIALTY INSURANCE CO FRANCINE PETROSINO HARBORSIDE 3 210 HUDSON ST STE 300 JERSEY CITY, NJ 07311	6/18/2019	1054	\$ -	Administrative
				\$ 1,000,000.00	Secured
NEW ENGLAND MOTOR FREIGHT, INC.	CONNECTICUT INSURANCE GUARANTY ASSOCIATION ANDREW SHEPLEY, CLAIMS ADMINSTRATOR ONE BOWDOIN SQUARE BOSTON, MA 02114	6/18/2019	1103	\$ 944,115.55	General Unsecured
<b>TOTAL EXPUNGED CLAIM(S):</b>				<b>3 Claims \$ 2,944,115.55</b>	